

06/24/2011

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-2287

NAME AND ADDRESS: SHAWN J WALTERS
PO BOX 156
NEWDALE ID 83436

PATRICE WALTERS
PO BOX 156
NEWDALE ID 83436

W JEFFREY WALTERS
PO BOX 156
NEWDALE ID 83436

MONA WALTERS
PO BOX 156
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.070 CFS
869.400 AFY

Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited to a total combined diversion rate of 3.54 cfs and to a total combined annual diversion volume of 1502.6 AF.

PRIORITY DATE: 02/17/1967

POINT OF DIVERSION:

T07N R41E S36 SESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.070 CFS 869.40 AFY

PLACE OF USE: IRRIGATION in FREMONT County and MADISON County

T06N R41E S01 Lot 1 NENE	35.00	T06N R41E S01 Lot 2 NWNE	24.00
T06N R42E S06 Lot 4 NWNW	34.00	T07N R41E S36 NENE	39.00
T07N R41E S36 NWNE	39.00	T07N R41E S36 SWNE	39.00
T07N R41E S36 SENE	39.00	T07N R41E S36 NENW	39.00
T07N R41E S36 NWNW	39.00	T07N R41E S36 SWNW	39.00
T07N R41E S36 SENW	39.00	T07N R41E S36 NESW	34.00
T07N R41E S36 NWSW	30.00	T07N R41E S36 SESW	9.30
T07N R41E S36 NESE	39.00	T07N R41E S36 NWSE	39.00
T07N R41E S36 SWSE	38.00	T07N R41E S36 SESE	37.00
T07N R42E S31 Lot 3 NWSW	39.00	T07N R42E S31 Lot 4 SWSW	38.00

708.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 708.3 acres in a single irrigation season. Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475 and 22-13570.

This right is limited to the irrigation of 345 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Canyon Creek Canal Co.

The following rights are diverted through point of diversion described above: 22-2222, 22-2287, 22-11185, 22-13475.

Right Nos. 22-11185 and 22-13475 are enlargements of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-2287

Date Received:
Receipt Nos:
Received By:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Name of Claimant MONA WALTERS
PATRICE WALTERS
SHAWN J WALTERS
W JEFFREY WALTERS
PO BOX 156
NEWDALE, ID 83436
(208)458-4656

Priority Date: 06/01/1900
Basis: Decreed/License
Status: Active

<u>Source</u>	<u>Tributary</u>				
Ground Water					
Teton River	Snake River				
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	
IRRIGATION	04/01	10/31	2.07 CFS	1207.5 AFA	
Total Diversion			2.07 CFS		

Location of Point(s) of Diversion:

GROUND
WATER NESESE Sec. 36 Township 07N Range 41E FREMONT County

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	41E	1	1	NENE	35	2	NWNE	24						
	42E	6	4	NWNW	34									
07N	41E	36		NENE	39		NWNE	39		SWNE	39		SENE	39
				NENW	39		NWNW	39		SWNW	39		SENW	39
				NESW	34		NWSW	30		SESW	9.3			
				NESE	39		NWSE	39		SWSE	38		SESE	37
	42E	31	3	NWSW	39	4	SWSW	38						

Total Acres: 708.3

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Canyon Creek Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

- 1.C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately
- 2.C18 determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- 3.F06 The following rights are also diverted through point of diversion described above: 22-2222, 22-2287, 22-11185, 22-13475.

4.K01 Right No. 22-11185 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

5.K06 This right is limited to the irrigation of 345.0 acres within the place of use described above in a single irrigation season.

6.E56 The rights listed below are limited to the irrigation of a combined total of 708.3 acres in a single irrigation season. Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475.

7.E60 Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited to a total combined diversion rate of 3.54 cfs and to a total combined annual diversion volume of 1502.6 AF.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License

Signature(s)

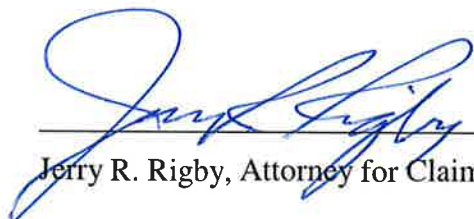
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.



Jerry R. Rigby, Attorney for Claimant

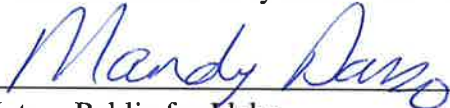
STATE OF IDAHO,)

ss.

County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

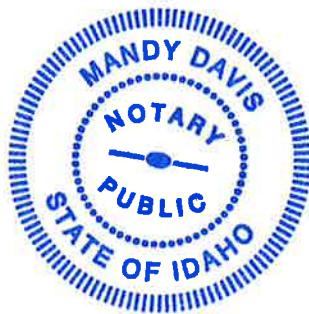
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011



10/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-2287

NAME AND ADDRESS: SHAWN J WALTERS
PO BOX 156
NEWDALE ID 83436PATRICE WALTERS
PO BOX 156
NEWDALE ID 83436W JEFFREY WALTERS
PO BOX 156
NEWDALE ID 83436MONA WALTERS
PO BOX 156
NEWDALE ID 83436

SOURCE: GROUND WATER ✓

TRIBUTARY:

QUANTITY: 2.070 CFS
~~1,207.50 AFY~~ 869.4

Right Nos. 22-2222, 22-2287, 22-11185, and 22-13475 are limited to a total combined diversion rate of 3.54 cfs and to a total combined annual diversion volume of 1502.6 AF. ✓

PRIORITY DATE: 02/17/1967 ✓

POINT OF DIVERSION: T07N R41E S36 NESESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION ✓	04/01 10/31 ✓	2.070 CFS ✓ ~~1,207.50 AFY~~ 869.4
PLACE OF USE: <u>IRRIGATION Within MADISON County + FREMONT</u>		
T06N R41E S01 Lot 1 NENE 35.00	T06N R41E S01 Lot 2 NWNE 24.00	
T06N R42E S06 Lot 4 NWNW 34.00	T07N R41E S36 NENE 39.00	
T07N R41E S36 NWNE 39.00	T07N R41E S36 SWNE 39.00	
T07N R41E S36 SENE 39.00	T07N R41E S36 NENW 39.00	
T07N R41E S36 NWNW 39.00	T07N R41E S36 SWNW 39.00	
T07N R41E S36 SENW 39.00	T07N R41E S36 NESW 34.00	
T07N R41E S36 NWSW 30.00	T07N R41E S36 SESW 9.30	
T07N R41E S36 NESE 39.00	T07N R41E S36 NWSE 39.00	
T07N R41E S36 SWSE 38.00	T07N R41E S36 SESE 37.00	
T07N R42E S31 Lot 3 NWSW 39.00	T07N R42E S31 Lot 4 SWSW 38.00	
708.3 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 708.3 acres in a single irrigation season. Combined Right Nos.: 22-2222, 22-2287, 22-11185, 22-13475. + 22-13570

This right is limited to the irrigation of 345.0 acres within the place of use described above in a single irrigation season. ✓

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 22-11185²²⁻¹³⁴⁷⁵ is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code. ✓

The following rights are ~~also~~ diverted through point of diversion described above: 22-2222, 22-2287, 22-11185, 22-13475.

+ EOI



Idaho Department of Water Resources

SRBA Recommendation:

22-2222

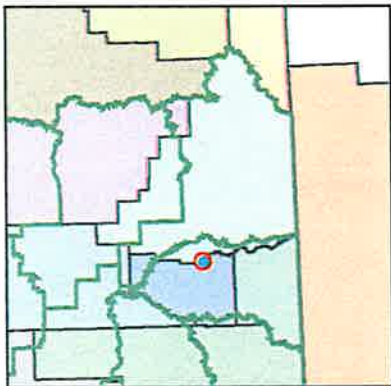
22-2287

22-11185

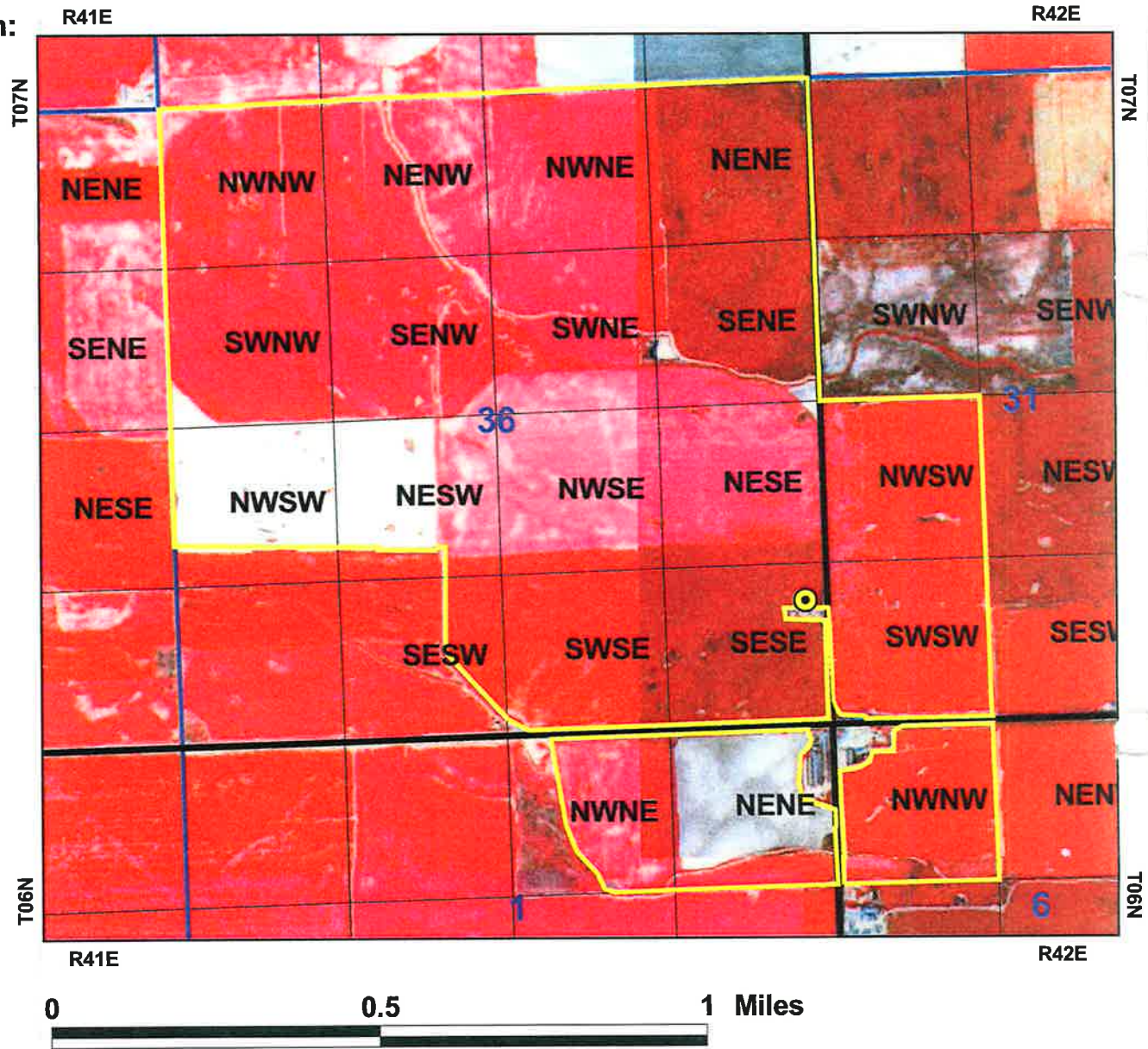
22-13475 (Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Fremont, Madison Counties
IDWR Basin 22



Prepared by T. Galbraith
On Friday, October 20, 2006
1987/88 Aerial Photography

AUG 17 2007

SCANNED



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

22-2222,
22-2287,
22-11185,
22-13475

Point(s) of Diversion:

T7N, R41E
Sec. 36 NESESE

Place of Use: (parts of)

T6N, R41E Sec. 1 N2NE,
T6N, R42E Sec. 6 NWNW
T7N, R41E Sec.36
E2, E2W2, W2NW, NWSW
T7N, R42E Sec. 31 W2SW,

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: February 2006

AUG 17 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02287

Date Received: 8/23/1988

Receipt No: E001629

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WINDY RIDGE FARMS
Address: C/O CLYDE HAWS
11096 EAST HIGHWAY 33
NEWDALE, ID

208-458-4283

83436

2. Date of Priority: FEB 17, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	41E	36	NE	SE	SE		FREMONT

5. Description of diverting works:
WELL, 350 HP W/ 75 HP BOOSTER, PIVOTS AND HANDLINES, RELIFT PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.070		

7. Total Quantity Appropriated is:
2.070 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1585.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	42E	6	NW	NW		IRR	30.0
Section Acres							30.0

A22-02287

Page 1

Date: 08/23/88

SCANNED
AUG 17 1988
MICROFILMED
OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	41E	36	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	39.0
			SE		NE		IRR	39.0
			NE		NW		IRR	40.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	39.0
							Section Acres	315.0
							Total Acres	345.0

11. Place of use in counties: MADISON, FREMONT

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
22-02222, CANYON CREEK CANAL CO.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 33482

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: -3-

For Organizations:

I do solemnly swear or affirm that I am President of Windy Ridge Farms, Inc. Title

Windy Ridge Farms, Inc. that I have signed the foregoing Organization document in the space below as President of Title

Windy Ridge Farms, Inc. and that the statements contained in the Organization foregoing document are true and correct.

Clyde Haws
Signature of Authorized Agent

President
Title and Organization

8-23-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

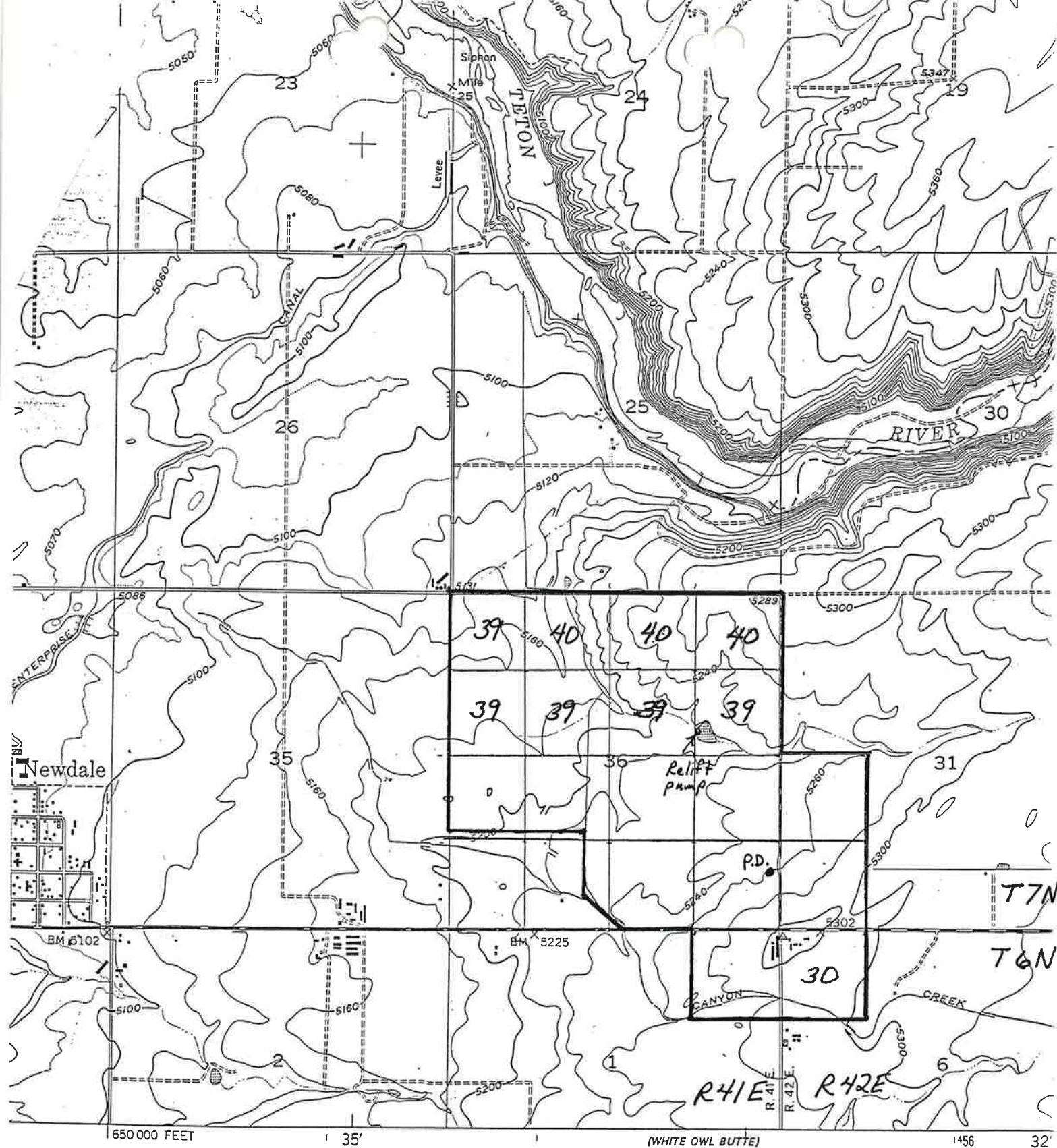
of August 19 88

Carter Fritschle
Notary Public

Seal

Residing at Eagle, Id

My Commission Expires 3-21-94

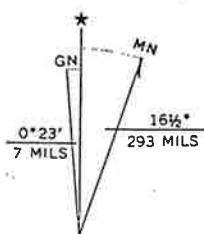


Survey

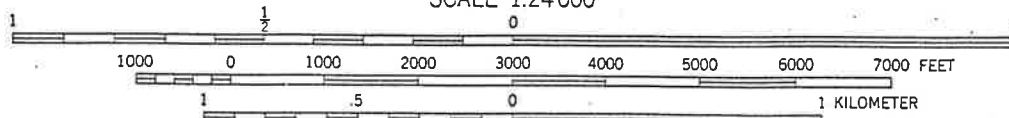
A 22-02287

SCALE 1:24 000

ods



UTM GRID AND 1979 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



CONTOUR INTERVAL 20 FEET
CONTOUR INTERVAL ON RIVER SURFACE 5 FEET
DOTTED LINES REPRESENT HALF-INTERVAL CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929
OCT 29 1992

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

001 2 9 1992

500.6
Twp 6N R. 2E

42 W 6 day
4 ms 5m
200100 W

Freemont 7N. R. 11. E 8M.

0-3-7

3

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-2287

WATER RIGHT NUMBER: 22-2287

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WINDY RIDGE FARMS C/O CLYDE HAWS PO BOX 128 NEWDALE, ID 83436 (208)458-4283
Current Owner	SHAWN J WALTERS 3360 N 8800 E NEWDALE, ID 83436 (208)458-4656
Current Owner	PATRICE WALTERS 33960 N 8800 E NEWDALE, ID 83436 (208)458-4656
Current Owner	W JEFFREY WALTERS 3360 N 8800 E NEWDALE, ID 83436
Current Owner	MONA WALTERS 3360 N 8800 E NEWDALE, ID 83436 (208)458-4656

22-11185 ENLARG ... Claim

Priority Date: 02/17/1967

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.070 CFS	
	<u>Total Diversion:</u>	2.070 CFS	

Location of Point(s) of DiversionGROUND WATER
FREMONT County

NE1/4SE1/4SE1/4

Sec. 36, Twp 07N, Rge 41E, B.M.

Place of UseIRRIGATION Within MADISON County

T06N R42E S06	NWNW	30.0	T07N R41E S36	NENE	40.0
T07N R41E S36	NWNE	40.0	T07N R41E S36	SWNE	39.0
T07N R41E S36	SENE	39.0	T07N R41E S36	NENW	40.0
T07N R41E S36	NWNW	39.0	T07N R41E S36	SWNW	39.0
T07N R41E S36	SENW	39.0			

Total Acres: 345

CPS

CofO Complete
9/2/5 KMO

RECEIVED

FEB 11 2009

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

A. Subcase 22-2287

(Insert water right number)

AMENDED

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Shawn Walters

Address: PO Box 156

Newdale, ID 83436

Daytime Phone: 208-458-4656

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

W Jeffrey Walters, Patrice Walters,

Name: Shawn J Walters, Mona Walters

Address: PO Box 156

Newdale, ID 83436

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: Acre limit should be 385 acres
- 10 ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** There was an error in the original license. The original field examiner found more acres irrigated than was actually approved.

This does not appear to be the case. The examiner found 345 ac. Also, chain matches license.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

- [] Water Right Number(s): 22-11192 PC 22-2186
22-11185 21-11052
22-2287
22-2222
- [] Name(s): Mona Walters, Patrice Walters
Shawn J. Walters, W. Jeffrey Walters
- [] Old Mailing Address: 3360 N 8000 E
Newdale, ID 83436
- [] New Mailing Address: P O Box 156
Newdale, ID 83436
- Telephone Number: () _____ - _____
- [] Signature(s) of Owner(s) Mr. Jeffrey Walters, Mona Walters
Shawn J. Walters, Patrice Walters
(Include your title if on behalf of company or organization)
- Date: 1-9-06

Address
Change Completed
KMT 11/21/06

SCANNED
AUG 17 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

OK JC 9-1-05
RECEIVED

MAR 31 2005

Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-2222	Same	☐	22-11192	~~Same~~	☐
22-2287	Same	☐			☐
22-11185	Same	☐			☐
		☐			☐
		☐			☐

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

*\$25 - sent copy to Kai
 Fynn 3/30/05 JC*

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Windy Ridge Farms, Inc.
11096 E. Highway 33, Newdale, Idaho 83436
4. New Owner/Claimant(s) Shawn J. Walters & Patrice Walters, W. Jeffrey Walters & Mona Walters
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3360 North 8800 East
- City, State and ZIP Code Newdale, Idaho 83436
- New Telephone Number (208) 458-4656
5. Date you acquired the property October 25, 2002

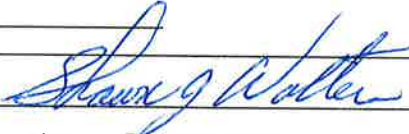
SCANNED

AUG 17 2007

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) 
(include title if applicable) Shawn J. Walters

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by JC Date 3-30-05 Fee \$25 -
 Receipted by JC Date 3-30-05 Receipt No. E030732
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

AUG 17 2007

WARRANTY DEED

For Value Received **Windy Ridge Farms, Inc., an Idaho Corporation**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

W. Jeffrey Walters and Mona Walters, husband and wife and Shawn J. Walters and Patrice Walters, husband and wife

whose address is: **85 Crest View Dr., Rexburg, ID 83440**

Hereinafter called the Grantee, the following described premises situated in Both **Fremont & Madison County, ID**, to-wit:

Parcel 1:

Township 7 North, Range 41 E.B.M., Fremont County, Idaho.

Section 36; ALL, EXCEPT State Highway No. 33,

ALSO EXCEPT: That portion of the SW $\frac{1}{4}$ of said Section 36, more particularly described as follows: Beginning at the Southwest corner of said Section 36; thence along the West section line N. 00°01'00" W. a distance of 1627.01 feet; thence S. 88°18'33" E. a distance of 2117.84 feet to the West bank of the Canyon Creek Canal; running thence along the West bank S. 00°45'28" W. a distance of 867.14 feet; thence along said West bank S. 40° 00'48" E. a distance of 429.63 feet to the Northwest corner of the City of Newdale property; thence along the West side of the City of Newdale property S. 00°00'13" W. a distance of 368.41 feet to the South section line; thence West along the section line a distance of 2380.87 feet to the Point of Beginning.

ALSO EXCEPT: That portion of the S $\frac{1}{2}$

of said Section 36, more particularly described as follows: Beginning at a point which is West 2520.53 feet and North 77.84 feet from the Southeast corner of said section; running thence along the toe of the Canyon Creek Canal N. 45°20'19" W. a distance of 89.20 feet; thence along said toe N. 77°35'14" W. a distance of 101.20 feet; thence along said toe N. 41°38'43" W. a distance of 275.13 feet; thence S. 00°00'13" W. a distance of 289.87 feet to the North right of way of State Highway 33; thence along said right of way S. 89°52'59" E. a distance of 344.80 feet to the Point of Beginning.

Water Tank Area

Parcel 2:

Township 6 North, Range 41 E.B.M., Madison County, Idaho

Section 1; Lot 1, EXCEPT State Highway No. 33.

Township 6 North, Range 42 E.B.M., Madison County, Idaho

Section 6; Lot 4, EXCEPT State Highway No. 33.

Township 7 North, Range 42 E.B.M., Madison County, Idaho

Section 31; W $\frac{1}{2}$

SW $\frac{1}{4}$, EXCEPT State Highway No. 33.

Microfilm No. 477528
 At 28 Day Oct 20 02
 11:50 O'Clock P M
 ABBIE MACE
 FREMONT CO RECORDER
 Fee \$ 6 Deputy
 Recorded at Date and rd

First American Title Company

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: October 25, 2002

Windy Ridge Farms, Inc.

BY: Carma J. Haws
 Carma J. Haws, President

Instrument # 299160
 REXBURG, MADISON, IDAHO
 2002-10-28 04:00:00 No. of Pages: 2
 Recorded for: FIRST AMERICAN TITLE
 MARILYN R. RASMUSSEN
 Ex-Officio Recorder Deputy Fee: 6.00

SCANNED

AUG 17 2007

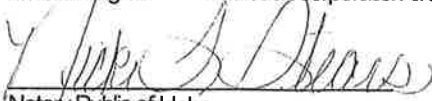
STATE OF ID

ss.

477528

COUNTY OF MADISON

On this 25th day of October, 2002, before me the undersigned, personally appeared Carma J. Haws, known or identified to me (or proved to me on the oath of), to be the president, or vice president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Notary Public of Idaho
Residing at Madison County, Idaho
Commission Expires: 01/03/06

NICKI L. STEARS
STATE OF IDAHO
NOTARY--PUBLIC

SCANNED

AUG 17 2007

WATER LICENSE

Water License No. G-33482/22-2287 Priority February 17, 1967 Amount 2.07 c.f.s.

THIS IS TO CERTIFY, that CLYDE HAWS
of Newdale, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated February 17, 1967; that Permit G-33482/22-2287 was issued pursuant
to said application; that the proposed works were completed on or about 1962,
with a storage/or carrying capacity of 3.54 c.f.s., said works consisting of
well, pump, motor, and sprinkler system; and that on April 21, 1967
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 869.40
acre feet per season, with a maximum rate of diversion of 2.07 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SE 1/4 SE 1/4, Sec. 36, T. 7 N, R. 41 E, B.M., and
other additional points _____, in the County of
Fremont; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 869.40 acre feet per year.

Description and location of place of use:

$$= 2.07 \text{ CFS} \times 2 \text{ AF/DAY} \times 210 \text{ DAYS}$$

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 N	41 E	36	40	40	39	39	40	39	39	39									315
6 N	42 E	6						30											30

Total number of acres irrigated 345

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

29th day of December, 1969.

[Signature]
State Reclamation Engineer

SCANNED

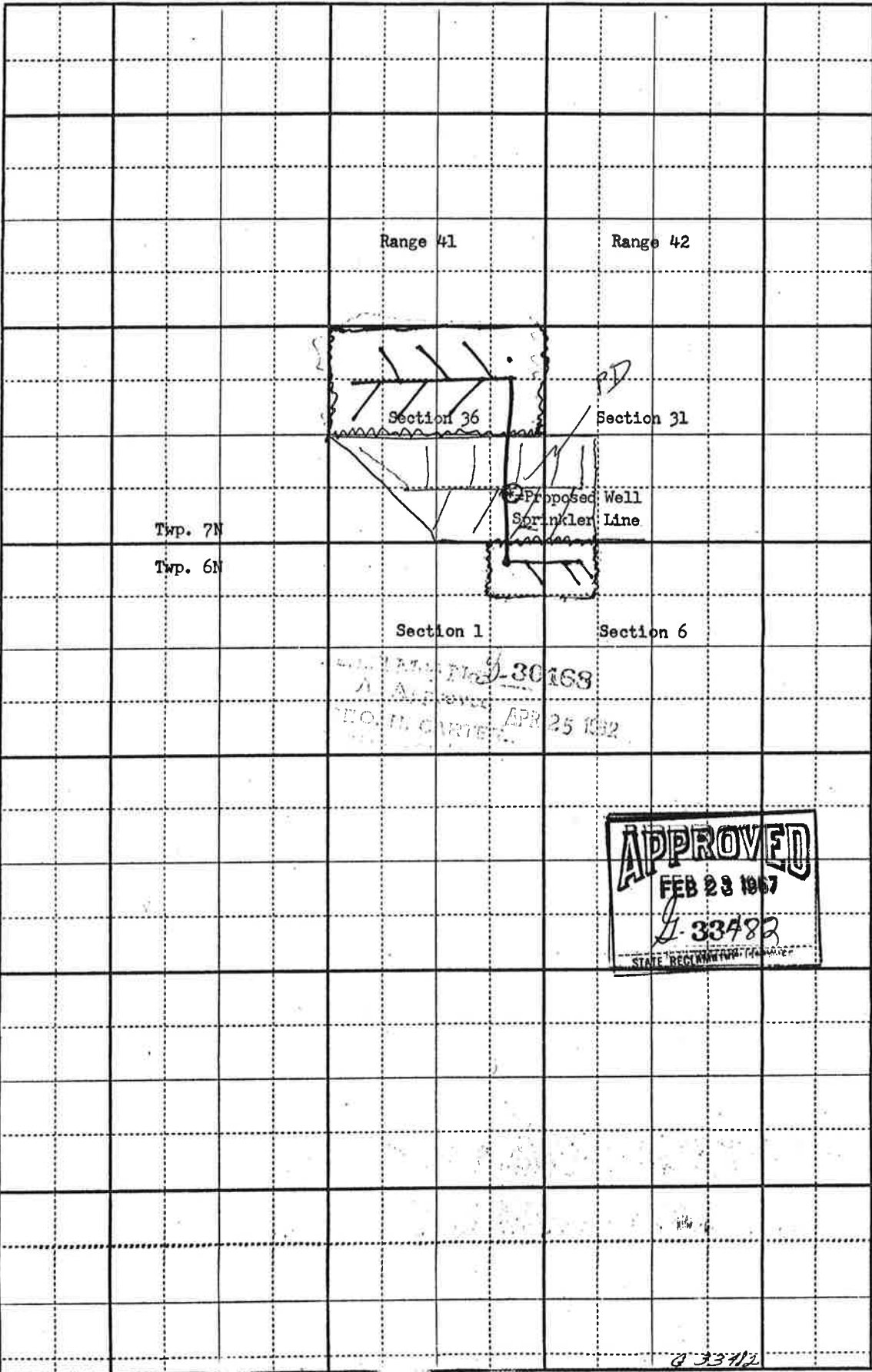
AUG 17 2007

22 2287

33482
22-2287

NAME OF APPLICANT... Clyde Haws..Newdale, Idaho

Form No. 0



32-

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41722
Permit No. G- 33482
District No.

Cope Drilling and Pump Co.
P.O. Box 1196, Idaho Falls,
Idaho

1. Name of Applicant: Clyde Haws
Postoffice address: Newdale County: Fremont State: Idaho
2. Quantity of water claimed:
(a) Rate of withdrawal in cubic feet per second 8.0 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE 1/4 of the SE 1/4 of Section 36
Twp. 7 N , Rge. 41 E , B.M., County of Fremont
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: drilled well
8. Estimated cost of works: \$ 32,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 5
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Permit G-30468 (not same land)
and 128 shares of Canyon Creek Canal Co.
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 8.0 (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

SCANNED

AUG 17 2007

Remarks: The well and water rights of Canyon Creek Canal Company are sufficient to water the entire acreage that I have. The water from the Canal Company is inadequate to rely on and the well has to be considered the prime source of water.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

/s/ CLYDE HAWS

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: February 17, 1967 2:00 P.M.

Returned to applicant for correction:

Correction application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33482

Recorded in Book 117 Page 33482 Approved February 23, 1967

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 23, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 23, 1972

Witness my hand this 23rd day of February, 1967.

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, DON SAMUELSON, Governor of the State of Idaho, and EDSON H. DEAL, Secretary of State of the State of Idaho, have caused this instrument to be executed in the named of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd day of February, 1967.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ DON SAMUELSON Governor

By /s/ EDSON H. DEAL Secretary of State

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 N	41 E	36	40	40	40	40	40	40	40	40									320
6 N	41 E	1	40																40
6 N	42 E	6						40											40
Total number of acres to be irrigated:																			400

LICENSE ISSUED FOR 2.07 SEC. FT.
LICENSE PAGE NO. _____

SCANNED

AUG 17 2007

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-33482

This proof is for Comp. of Works & Beneficial Use In Water District No. _____

1. Name of applicant Clyde Haws

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE 1/4 of Section 36

T. 7 N R. 41 E County of Fremont

4. Describe works as they exist, giving dimensions and capacities of same:

Holloshaft 200 HP Ser # 1275179

Verti-Line Ser # D00551 1300 GPM 515 FT. 1770 RPM

Booster General Electric 75 HP Ser. RJJ 403024

LAYNE & Bowler Ser # D09797 1600 GPM 160 FT 1770 RPM

319 No 2 RAIN Bird mod 30 WS 5/32

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

~~NE 1/4 Sec. 1, T. 6 N., R. 41 E., B.M.; NW 1/4 Sec. 6, T. 6 N., R. 42 E., B.M.;~~

~~NE 1/4 Sec. 1, T. 6 N., R. 41 E., B.M.; NW 1/4 Sec. 6, T. 6 N., R. 42 E., B.M.;~~

~~NE 1/4, NW 1/4 Sec. 36, T. 7 N., R. 41 E., B.M.~~

(400 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: contacted MR. HAWS

$$\begin{aligned} & \frac{319}{200} (4.98 \text{ gpm}) = \frac{1588.62}{1588.62} \\ & \frac{319}{200} (4.98 \text{ gpm}) = 2.27 \text{ cfs} \end{aligned} \quad \left. \begin{aligned} & 1588.62 \\ & + 556.29 \text{ gpm} = 2144.91 \text{ gpm} = 3.54 \text{ cfs} \end{aligned} \right\}$$

ALLOW - 2.07 cfs

irrigation req. 3.5

This examination was made on the 15 day of July, 1968

(Signed)

John Reynolds Pm
Examiner.

SCANNED

APR 17 2007

Clyde Haws
Newdale, Idaho

Permit No. G-33482

*Drilled well; sprinkler system
20" X 635' Q-720" 429-50#-11/64
H-364'*

Examination for Comp. of Works & Beneficial Use

County Fremont

Quantity: 8.0 c.f.s. Sec. 36 T. 7N R. 41E

Source: Subterranean

P.D.: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 7 N, R. 41 E, B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Permit G-30468

Filed: February 17, 1967

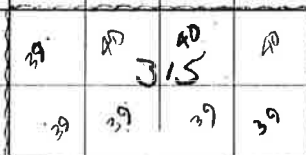
Due: February 23, 1972

Made: April 21, 1967

Priority: February 17, 1967

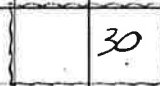
INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-



315

P.P.



30
345

Area = 345 Acres

~~Sub~~ Sub = 10

Q = 2.07

VOL 869.40 ACFT/SEASON

Priority Feb. 7 1967

SCANNED

126 17 2007

